

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

RALPHEAL RAMON BIMBO,)
Petitioner,)
v.) Case No. 5:19-cv-00957-AKK-HNJ
DEWAYNE ESTES,)
Respondent.)

MEMORANDUM OPINION

On August 20, 2019, the magistrate judge ordered the petitioner to notify the court whether he wished to (1) continue with this habeas action and correct the deficiencies identified by the magistrate judge or (2) dismiss this action and file a complaint pursuant to 42 U.S.C. § 1983. Doc. 7. After the petitioner failed to respond within the time frame allowed by the order, the magistrate judge filed a report on October 3, 2019, recommending this action be dismissed without prejudice for lack of prosecution. Doc. 8. Although the magistrate judge advised the petitioner of his right to file specific written objections to the report within fourteen (14) days, no objections have been received by the court.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the magistrate judge's report is hereby **ADOPTED** and the recommendation is **ACCEPTED**. Therefore, this action

is due to be dismissed without prejudice for lack of prosecution. A separate order will be entered.

DONE the 23rd day of October, 2019.


ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE